

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Improving Public Safety Communications in the)	
800 MHz Band)	WT Docket No. 02-55
)	
Consolidating the 900 MHz Industrial/Land)	
Transportation and Business Pool Channels)	

**COMMENTS OF
MARNELL CORRAO ASSOCIATES**

Marnell Corrao Associates (“Marnell”) is in the business of constructing high-rise buildings in the Las Vegas, Nevada area. Over the past few years, Marnell has invested a great deal of time, money and effort in developing its own 800 MHz two-way radio system. With the constant change and turmoil in the communication industry we have found this to be the only solution that provides stable and reliable communications.

Marnell understands the need to provide interference-free communications to public safety agencies, however, sometimes the term safety is applied too narrowly. Although police and fire agencies find themselves in situations that require immediate and intense communications, reliable communications can be just as critical to industry. For example, consider placing yourself on top of a 50-story high rise while operating a crane that is manipulating steel beams weighing several tons each. In this environment

one soon realizes that communication is extremely critical each and every second, and there is no room for error or unclear messages. This type of communications is necessary to prevent serious injury, property damage, or even death. Commercial communications, such as that provided by Nextel, is simply not reliable enough in our view. We must be able to continue using the private radio systems to stay in business. For us safety is paramount, not only for our employees but also for our subcontractors, and the public safety agencies inspecting our projects.

As mentioned above, Marnell has spent a great deal of time, money and effort in developing its communication system. We cannot possibly understand how it can even be considered that we could be forced to move to an entirely different frequency band with no assurance that it will provide the coverage and reliability we now rely on for safety concerns, and be expected to pay the cost for doing so. Nextel is the source of the problem and the entity trying to utilize the 800 MHz band in a way not intended. If Nextel cannot solve its problems by itself, then perhaps it should shut down or be the one to move to another band.

Thank you for your time and consideration in this matter.

Sincerely,

Rick Colvin
Executive Vice President
Marnell Corrao Associates
4495 South Polaris Ave.
Las Vegas, NV 89103